

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

KURTIS FIELDS,)	CASE NO. 1:23-cv-00239
)	
Petitioner,)	JUDGE BRIDGET MEEHAN BRENNAN
)	
v.)	
)	
WARDEN GEORGE A. FREDRICK,)	<u>OPINION AND ORDER</u>
)	
Respondent.)	

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge James E. Grimes, Jr. (Doc. 16) recommending that Kurtis Fields’ (“Petitioner”) *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be denied.

Once a magistrate judge issues a report, the relevant statute provides:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C) (flush language).

The failure to timely file written objections to a R&R constitutes a waiver of a *de novo* review by the district court. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff’d* 474 U.S. 140, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985); *see also United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

The R&R was issued on February 19, 2025. The docket reflects the R&R was mailed to Petitioner at his address of record, that being the Marion Correctional Institution, the same day. As of the date of this Opinion and Order, the R&R has not been returned as undeliverable. The

Ohio Department of Rehabilitation & Correction's public website indicates Petitioner remains incarcerated at Marion Correctional Institution. The Court finds that the time for filing objections has passed with Petitioner stating no objection to the R&R. *See Peoples v. Hoover*, 377 F. App'x 461, 463 (6th Cir. 2010) (recognizing courts have enforced the rule requiring objection to a magistrate report regularly against *pro se* litigants).

Having reviewed the R&R in its entirety, the Court hereby ACCEPTS and ADOPTS the R&R. Accordingly, Fields' *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DENIED. The Court further certifies that there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed. R. App. P. 22(b).

IT IS SO ORDERED.

Date: April 3, 2025



BRIDGET MEEHAN BRENNAN
UNITED STATES DISTRICT JUDGE